

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

EASTERN DIVISION

| | | |
|-------------------------------|---|---------------------|
| GRAIN PROCESSING CORPORATION, |) | Case No. 09-CV-1163 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| GREIF PACKAGING, LLC, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

DEPOSITION OF RANDY E. MEIROWITZ, Ph.D.

(Pages 1 - 114)

TUESDAY, JULY 19, 2011

SAN DIEGO, CALIFORNIA

Reported by:

KARLA MEYER BAEZ

RPR-CRR, CSR No. 4506

1 go into various mills.

2 Q. Would those be paper mills?

3 A. Yes.

4 Q. So the -- using layman's terms, so you would
5 have in some of your employment been to mills where they
6 are making the paper that is subsequently used in
7 corrugating?

8 A. Yes.

9 Q. Have you been to a corrugated cardboard
10 manufacturing facility before?

11 A. I have been through them on familiarization
12 tours and during course work.

13 Q. Okay. It sounds like some of that may have
14 been a little while ago if it was course work, but can
15 you tell me what corrugating manufacturing facilities
16 you recall going through?

17 A. Yes. It was a while ago, and it would have
18 been Wisconsin, and it would have been in the Green Bay
19 area. What specific companies, I am just drawing a
20 blank at the names.

21 Q. More than one?

22 A. I spent four years with Albany International
23 and they are a -- they are interactive with the paper
24 industry. They produce the fabrics that paper is made
25 on. So at that point I was very active in TAPPI,

1 Technical Association of Pulp and Paper Industry. I was
2 active at the Institute of Paper Chemistry, which was at
3 the time in Wisconsin; and I went to various places, but
4 that was -- I just don't remember the names.

5 Q. Okay. And you were employed by Albany during
6 what years?

7 A. '84 to '88, I believe.

8 Q. So would that have been -- would your visit or
9 visits to corrugating facilities have been during that
10 time period?

11 A. Yes, I believe so.

12 Q. Would your involvement with TAPPI have been
13 during that time period?

14 A. Yes. And I think it also continued for a few
15 years afterwards.

16 Now, I still get TAPPI journals, but I'm not an
17 active member.

18 Q. How about the Institute of Paper Chemistry?
19 Would your activity in that organization have been while
20 you were employed at Albany International?

21 A. Yes, it was certainly then. It also continued
22 on through my time at Kimberly Clark.

23 Q. All right. Go ahead. I'll hand you what we're
24 going to mark as Exhibit -- as I was saying, I'm going
25 to hand you what I'm going to ask the court reporter to

1 going to do and this is how you know if it works.

2 Q. Have you ever -- I'll start at the beginning.

3 Have you ever been in a starch plant?

4 A. Starch plant. I don't believe so.

5 Q. I'm going to get into the reports. You want to
6 take a break now for a few minutes?

7 A. Sounds good.

8 (Recess was taken from 10:23 until 10:32)

9 THE WITNESS: Could I clarify on Exhibit 117?

10 BY MR. NOLAN:

11 Q. Please.

12 A. In addition to the depositions, I did review
13 the exhibits of the depositions. I kind of thought that
14 was...

15 Q. Okay. Thank you.

16 A. Yeah.

17 Q. Okay. Well, let's -- We'll probably go through
18 the reports somewhat together, and there will be some
19 areas where I will ask you if something has changed, you
20 know. I'm not asking you for a scientific "compare
21 right while we go," but just based on your recollection
22 whether they are material changes as we go. And I'm on
23 page 2 of Exhibit 117. See where it says A,
24 qualifications?

25 A. Yes.

1 Q. Do -- Can you put a percentage likelihood on
2 "overwhelming"?

3 You knew I was going to ask you that.

4 A. Yeah, I did. Obviously I can only comment on
5 what I've seen, and I'm sure there is other information
6 that might change it.

7 But, you know, I would say certainly greater
8 than 75 percent, probably greater than 80 percent. If I
9 were to be chasing this problem, where I'd look would be
10 at the starch.

11 Q. And so would it be inaccurate to revise this
12 sentence to say "It is my opinion to a 75 percent to 80
13 percent degree of certainty" and leave the rest of the
14 sentence as is?

15 MR. KUHLE: Objection to form.

16 A. I don't know. Putting a number of percentage
17 is just, you know -- what's a reasonable degree of
18 certainty? 75 percent, 80? I don't know.

19 If there is -- I'm comfortable with what it
20 says here. Putting a specific number down kind of as a
21 scientist goes against me.

22 BY MR. NOLAN:

23 Q. Same paragraph --

24 A. Uh-huh.

25 Q. Same paragraph, middle of the three lines.